

**9/06/05 - Tuesday, September 6, 2005**

CITY OF EAU CLAIRE

**PLAN COMMISSION MINUTES**

**Meeting of September 6, 2005**

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Levandowski, Waedt, Vande Loo, FitzGerald, Duax, Ms. Kincaid

Staff Present: Messrs. Tufte, Reiter, Genskow, Ivory

The meeting was chaired by Mr. Levandowski.

1. **REZONING (Z-1332-05) “ R-3P and C-2P to R-3P, Amend General**

**Development Plan**

and

**PRELIMINARY PLAT (P-14-05) “ Justin and Cassie Acres**

and

**SITE PLAN (SP-0544) “ Six 4-plexes, Damon Street**

Mark held has submitted a request to amend the General Development Plan for property on the south side of Damon Street, east of Fairfax Street, approve a preliminary plat, and approve a site plan for six 4-plexes. The request also includes the rezoning of a 9-foot strip of land on the east end from C-2P to R-3P. The original plan included a larger condo project across to the north side of Damon Street. The proposed project increases the number of units on the site from 9 duplexes (18) to six 4-plexes (24). The Comprehensive Plan>

The site plan shows two-bedroom units with required parking provided with double and single garages.

Mr. Held, the developer, stated t hat the design of the units has proved successful in the Eau Claire market and most tenants will be single adults or couples. He expects very few children in the units.

Arlene Kuehn, 4022 Boardwalk Street, spoke in opposition. She>

Bernise Tormoen, 4012 Boardwalk Street, spoke in opposition. She stated she purchased her condo unit believing duplexes would be built on this property. She noted most of the neighborhood residents are elderly. She also felt Damon Street was busy and too narrow for on-street parking and snow removal will compound the congestion.

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Judy Miller, 4010 Boardwalk Street, spoke in opposition. She did not oppose the duplexes but this plan will cause more on-street parking on Damon Street.

Mr. Tufte>

Mr. FitzGerald stated that this amendment was a substantial change from the duplex condo plan to rental units, which apparently neighbors relied on.

Mr. Waedt noted that mixed-use neighborhoods were encouraged by the new Comprehensive Plan, with mixtures of owners and rentals. The opposition to such changes is expected.

Mr. Duax stated that the new Comprehensive Plan does recommend mixed neighborhoods and this area already appears to be mixed. He had a hard time finding negative aspects to the change, other than an increase in population.

Mr. Levandowski stated that there would be the same number of garages as in the duplex proposal.

Mr. Vande Loo moved to recommend approval of the rezoning request, approval of the preliminary plat, and approval of the site plan, with the conditions listed in the staff report, adding a sixth that all units be only two-bedroom in size. Ms. Kincaid seconded stating that the amended plan is compatible to the zoning and the units will be aesthetically pleasing. The motion carried. Mr. FitzGerald voted no.

2. **REZONING (Z-1333-05) “ Sign Code Amendment for Sidewalk Signs and**

**Flags**

Pat Ivory presented amendments to the City Sign Code for sidewalk signs and flags in the Downtown area and the Water Street Commercial District. Mr. Ivory presented the basic provisions for the sidewalk signs and flags. The request for wall-mounted flags will give the Downtown and Water Street areas the same ability to place decorative flags on the buildings as other commercial areas of the City.

Tiffany Richter, representing the Downtown DECI Board, spoke in support to the amendments. No one appeared in opposition.

Mr. Vande Loo moved to recommend approval. Mr. Waedt seconded and the motion carried.

3. **CONDITIONAL USE PERMIT (CZ-0525) “ Cell Tower, 2405, Keith Street**

Alltel has submitted a request to allow a cell tower and utility enclosure at 2405 Keith Street (Eau Claire Wesleyan Church). They are proposing a 88™ high cell

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tower with three poles and a camouflage shroud to hide the antenna at the top of the tower. The tower is located in the middle

of the parking lot for the church. A

utility enclosure is noted to the south of the tower, along the south lot line. Mr. Tufte commented that the proposal lacked information on the number of parking spaces lost. He outlined other information required, such as landscaping, screening, colors of the tower shroud, and the co-locatable antenna.

Dave Marvin, Faulk and Foster, representing Alltel, spoke in support. He described the cell phone service area provided by Alltel and showed graphics>

Mr. FitzGerald recommended that they negotiate with Memorial High School across the street, as that is a more commercial location with large open spaces, which would eliminate the opposition of the neighbors and provide revenue to the high school.

Diane Nelson, 2040 E. Lexington Boulevard, spoke in opposition. She also spoke for a neighbor who is too frail to attend. She felt the tower would decrease property values in the neighborhood.

Jeff Julson, 2404 Keith Street, spoke in opposition. He stated the company should look for solutions at Memorial or around the K-Mart store.

Kathleen Schremp, 2416 Keith Street, spoke in opposition. She felt the neighborhood was overtaxed and the height of the proposed tower was too obtrusive.

Eric Dasher, 2058 E. Lexington Boulevard, spoke in opposition. He expressed concern for the possible health issues associated with the tower and his children, which are young. He also felt the applicant has not taken enough effort to blend the structure into the neighborhood, nor explored sufficiently other options, especially to the north and east, commercial areas.

Greg Niemuth, 1928 Taft Avenue, spoke in opposition. He felt the applicant had not explored all possible locations and requested the item be tabled to require more research into other sites.

Shu-chuan Chen, 2804 Irene Drive, spoke in opposition. She addressed the possible health issues associated with cell tower electro-magnetic waves which some studies say harm people, although she understood that the commission could not consider health issues in its deliberation.

Eric Madson, 2022 E. Lexington Boulevard, spoke in opposition. He felt the applicant had not exhausted his options as required and noted the amount of commercial and public land on the north side of E. Clairemont Avenue.

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Others expressing their opposition included: Mike Schremp, 2416 Keith Street; Nancy Ludwigson, 2046 E. Lexington

Mr. Al Smith, member of Wesleyan Church, appeared in support. He stated that the church has been a good neighbor.

Mr. Duax stated that he could not support this application because the proposal was not compatible to the neighborhood given the extensive testimony, and doesn't meet the standards of the conditional use ordinance.

Mr. FitzGerald felt there was a demonstrated need for a cell tower somewhere in this area but felt the applicant had not exhausted all possibilities and moved to postpone consideration to a time uncertain to allow the applicant to provide more information of other properties in the area and more information on materials proposed to be used at this site. Mr. FitzGerald added that he personally would prefer an alternate site. Mr. Vande Loo seconded and the motion carried. Mr. Duax voted no.

4. **PRELIMINARY PLAT (P-13-05) "D & J Acres, Town of Washington"**

David Suchla presented a preliminary plat for D & J Acres, located on the west side of Hwy. 93, south of Tamara Drive, in the Town of Washington. The plat creates 27 lots for single-family residential development. All lots will be served with private septic systems. All lots are 1.5 acres in size or larger. It is outside the sewer service area.

Mr. Duax moved to approve the plat. Mr. FitzGerald seconded and the motion carried.

5. **PRELIMINARY PLAT (P-14-05) "Crossing Meadows Business Park"**

Kramer Land Design Studio has submitted the preliminary plat for Crossing Meadows Business Park located between Hwy. 93 and London Road, south of Cross Street. The property is zoned C-3P and the plat creates 8 lots for business development. Outlot 1 is provided for storm water purposes and is the approximate boundary of the wetland area. The Official City Map shows future streets, which will need to be vacated to reflect the proposed streets.

Mr. Genskow addressed downstream storm drainage concerns of the City in this area and the need to provide approximately 10 acres for storm drainage facilities to collect runoff from this area and adjoining development, as well as some areas east of Hwy. 93. The City needs to acquire land to the west of London Road and some land within this plat to do this.

Dean Larsen and Bob Graziano, developer and owner, appeared in support. Mr. Larsen stated the development would be similar to Southtowne Business Park on the north side of Golf Road. He did have concerns with Condition #6 from the Engineer's report. He felt this development would be made hostage to

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negotiations with the property owner to the west. The price of that land would be too high for the City to acquire at this time due to its budget issues. He stated

that Mr. Graziano's land could provide adequate land to handle the drainage from his property, so it is all handled on site. He felt it was unfair to hold up development of the plat while the owner is paying high property taxes on the land.

Mr. Genskow responded that there is not a lot of area to solve the drainage problems and felt it would be irresponsible for the City to allow development until the drainage issues were solved.

Mr. Duax moved to refer the item back to staff for negotiations. Mr. Vande Loo seconded and the motion carried.

6. **SITE PLAN (SP-0549) "Tenold Clinic Addition"**

Tom Holbrook has submitted a site plan for an addition to Tenold Chiropractic Clinic at 2814 Oakwood Hills Parkway. The addition brings the total building size to 5,340 square feet.

Mr. FitzGerald then moved to approve the site plan. Mr. Vande Loo seconded and the motion carried.

7. **DISCUSSION "CZ-0220, Museum, 1500 State Street"**

Mr. Tufte reported that the Plan Commission had scheduled a three-year review of this conditional use permit. The Plan Commission did review the permit in February, 2003, and no changes were made to the permit. No reports or complaints have been made since then. No direction was given to staff.

**MINUTES**

The minutes of the meeting of August 15, 2005 were approved.

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Laura Jensen, Secretary